Local Government Mandate Statement Kentucky Legislative Research Commission 2019 Regular Session

Part I: Measure Information

Bill Request #: 858
Bill #: HB 159
Document ID #: 1260
Bill Subject/Title: AN ACT relating to expungement of criminal records.
Sponsor: Representative Jason Petrie
Unit of Government: x City x County x Urban-County Unified Local x Charter County x Consolidated Local x Government
Office(s) Impacted: Local law enforcement offices and jails
Requirement: x Mandatory Optional
Effect on Powers & Duties:x _ Modifies Existingx _ Adds New Eliminates Existing

Part II: Bill Provisions and the Estimated Fiscal Impact Relating to Local Government

HB 159 repeals and reenacts KRS 431.076 to provide for the conditions under which criminal charges, orders and related records may be expunged. The Act provides that after expungement the court and other agencies shall delete or remove the records from their computer systems and shall reply to any inquiry that no record exists on the matter.

The fiscal impact of HB 159 on local governments will be minimal, and indeterminate due to the impossibility of predicting a percentage of those who may have their records expunged. Local jails transfer custody of records upon release of inmates and will be unaffected. For local law enforcement agencies, there will be a minimal impact as expungements of computerized records takes not more than five minutes.

Part III: Differences to Local Government Mandate Statement from Prior Versions

The Part II section above pertains to the bill as introduced and there are not any prior versions of the bill to complete the Part III section.

Data Source(s): Kentucky Jailers Association; Kentucky Association of Chiefs of Police;

Kentucky Sheriffs Association

Preparer: H. Marks Reviewer: KHC Date: 1/14/19